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Letter dated 15 August 2014 from the Chargé d'affaires a.i. of the Permanent Mission of Ukraine to the United Nations addressed to the President of the Security Council

I have the honour to enclose herewith, for your information, a note verbale of the Ministry of Foreign Affairs of Ukraine addressed to the Ministry of Foreign Affairs of the Russian Federation regarding the Russian Federation's attempts to establish its national jurisdiction over Ukrainian nuclear facilities, installations and materials located in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol, extending the agreement between the Union of Soviet Socialist Republics and the International Atomic Energy Agency (IAEA) of 21 February 1985 to the objects mentioned above.

In this regard, we insist that all nuclear facilities, installations and materials in the territory of the Autonomous Republic of Crimea and the city of Sevastopol remain Ukraine's property. Hence, their legal status, standard operating procedures, use and maintenance are regulated by Ukraine's national legislation, as well as by the provisions of the agreement between Ukraine and IAEA on the application of guarantees under the Treaty on the Non-Proliferation of Nuclear Weapons dated 21 September 1995 and the additional protocol to the above-mentioned agreement dated 15 August 2000.

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Oleksandr **Pavlichenko**
Chargé d'affaires a.i.

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Annex to the letter dated 15 August 2014 from the Chargé d'affaires a.i. of the Permanent Mission of Ukraine to the United Nations addressed to the President of the Security Council

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Ministry of Foreign Affairs of the Russian Federation and expresses hereby its strong protest to the Russian Federation over its attempts to establish its national jurisdiction over Ukrainian nuclear facilities, installations and materials located in the territory of the Autonomous Republic of Crimea and the city of Sevastopol, temporarily occupied by the Russian Federation, extending the agreement between the Union of Soviet Socialist Republics and the International Atomic Energy Agency (IAEA) of 21 February 1985 to the above objects.

The Ukrainian side insists that all nuclear facilities, installations and materials in the territory of the Autonomous Republic of Crimea and the city of Sevastopol constitute Ukraine's property. Hence, their legal status, standard operating procedures, use and maintenance are regulated by Ukraine's national legislation, as well as by the provisions of the agreement between Ukraine and IAEA on the application of guarantees under the Treaty on the Non-Proliferation of Nuclear Weapons dated 21 September 1995 and the additional protocol to the above-mentioned agreement dated 15 August 2000.

In this regard, the Russian side's attempts to commit any act aimed at changing unilaterally national jurisdiction of the Ukrainian nuclear facilities located in the territory of Ukraine temporarily occupied by Russia are null and void.

The actions of the Russian Federation, as a nuclear power, pose a direct threat to the international order established by the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968, which Ukraine accessed as a non-nuclear power, having accepted, in accordance with article 3 of the Treaty, relevant guarantees identified by the agreement between Ukraine and IAEA on the application of guarantees under the Treaty on the Non-Proliferation of Nuclear Weapons and the additional protocol to the above-mentioned agreement.

The Ukrainian side also underlines that, in the territory of Ukraine, including the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, it is not acceptable to deploy nuclear weapons and convert nuclear materials and facilities for military purposes, including the DR-100 research reactor and other nuclear installations of the Sevastopol National University of Nuclear Energy and Industry.

Therefore, the Ukrainian side warns the Russian side against taking any action violating the nuclear-weapon-free status of the part of the territory of Ukraine temporarily occupied by the Russian Federation, extending the agreement between the Union of Soviet Socialist Republics and IAEA of 21 February 1985 to the nuclear facilities and materials mentioned above.